

**ENTERED**

February 01, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

THOMAS WESLEY SMITH,

Plaintiff,

VS.

TARGET CORPORATION,

Defendant.

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CIVIL ACTION NO. 1:19-CV-189

**ORDER ADOPTING REPORT AND RECOMMENDATION**

Plaintiff Thomas Wesley Smith filed a complaint in Texas state court asserting a claim of premises liability against Defendant Target Corporation. (Doc. 1-1) Target removed the matter to this Court based on diversity jurisdiction. Target now moves for summary judgment, and Smith has timely responded. (Motion, Doc. 21; Response, Doc. 25)


On January 13, 2021, the United States Magistrate Judge issued a Report and Recommendation (Doc. 26) concluding that Target's Motion should be granted. No party filed any objections to the Report and Recommendation.

The Court **ADOPTS** the Report and Recommendation. As a result, it is:

**ORDERED** that Defendant's Motion for Final Summary Judgment (Doc. 21) is **GRANTED**.

The Court will separately issue a Final Judgment.

Signed on February 1, 2021.

  
Fernando Rodriguez, Jr.  
United States District Judge